

HOUSE AMENDMENTS TO SENATE JOINT RESOLUTION 10

By COMMITTEE ON JUDICIARY

June 1

1 Delete lines 2 through 17 of the printed joint resolution and insert:

2 “Whereas the Oregon Constitution has prohibited slavery and involuntary servitude, which is
3 the coerced service of one individual for the benefit of another, since 1857; and

4 “Whereas the Constitution’s prohibition on slavery and involuntary servitude contains anti-
5 quated language that on its face creates an exception to the prohibition on slavery and involuntary
6 servitude; and

7 “Whereas in a just society that respects human dignity and the exercise of free will, there must
8 be no exception to an unqualified and absolute prohibition on slavery and involuntary servitude; and

9 “Whereas Oregon and the United States are examining past instances of discrimination and are
10 striving to undo foundational and historical barriers that perpetuate the injustice and unfairness of
11 discrimination; and

12 “Whereas a state constitution is a foundational element of governance in a civil society and
13 therefore no place for remnants of historical language that perpetuates principles of discrimination
14 and racial intolerance; and

15 “Whereas the voters of this state recognized in adopting section 41, Article I, of the Oregon
16 Constitution (section 41), that individuals who are convicted of a crime benefit from being fully en-
17 gaged in productive activity so as to successfully re-enter society with practical skills and a viable
18 work ethic; and

19 “Whereas section 41 envisions persons who are incarcerated performing labor at correctional
20 institutions or pursuant to work release programs, participating in training and participating in ed-
21 ucational opportunities, all of which develop motivation, work capabilities and cooperation; and

22 “Whereas section 41 authorizes compensation for labor and describes several types of jobs or
23 related training that those who are incarcerated may perform; and

24 “Whereas because work provides myriad individual and collective benefits, the purpose of this
25 proposed constitutional amendment is not to withdraw legitimate opportunities to work from indi-
26 viduals who have been convicted of a crime; and

27 “Whereas section 41 and this proposed constitutional amendment may operate in tandem to
28 achieve positive outcomes for persons who are incarcerated or who re-enter society while more fully
29 and completely removing the stain of slavery and involuntary servitude from this state; now, there-
30 fore,”.

31 In line 21, after the second period insert “(1)”.

32 After line 22, insert:

33 “(2) Upon conviction of a crime, an Oregon court or a probation or parole agency may order the
34 convicted person to engage in education, counseling, treatment, community service or other alter-
35 natives to incarceration, as part of sentencing for the crime, in accordance with programs that have

1 been in place historically or that may be developed in the future, to provide accountability, refor-
2 mation, protection of society or rehabilitation.”
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